

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**(ROANOKE DIVISION)**

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THE UNITED STATES OF AMERICA; THE  
STATE OF ALABAMA, EX REL. LUTHER  
STRANGE, in his official capacity as the  
Attorney General of Alabama; ALABAMA  
DEPARTMENT OF ENVIRONMENTAL  
MANAGEMENT; THE COMMONWEALTH  
OF KENTUCKY, ENERGY AND  
ENVIRONMENT CABINET; THE STATE  
OF TENNESSEE, EX REL. HERBERT H.  
SLATERY III, in his official capacity as the  
Attorney General and Reporter of Tennessee;  
and THE COMMONWEALTH OF  
VIRGINIA,

Plaintiffs,

v.

SOUTHERN COAL CORPORATION;  
JUSTICE COAL OF ALABAMA, LLC;  
A & G COAL CORPORATION; FOUR  
STAR RESOURCES LLC; INFINITY  
ENERGY, INC.; KENTUCKY FUEL  
CORPORATION; SEQUOIA ENERGY, LLC;  
VIRGINIA FUEL CORPORATION;  
NATIONAL COAL, LLC; PREMIUM COAL  
COMPANY, INCORPORATED; S AND H  
MINING INC.; AIRWAY RESOURCES,  
L.L.C.; BADEN RECLAMATION  
COMPANY; BLACK RIVER COAL, LLC;  
CHESTNUT LAND HOLDINGS, LLC;  
MEG-LYNN LAND COMPANY, INC.; NINE  
MILE MINING, INC.; CANE PATCH  
MINING CO., INC.; BLUESTONE  
RESOURCES INC.; DYNAMIC ENERGY,  
INC.; GREENTHORN, LLC; JUSTICE  
HIGHWALL MINING, INC.; NATIONAL  
RESOURCES, INC.; NUFAC MINING  
COMPANY, INC.; PAY CAR MINING, INC.;  
SECOND STERLING CORP.; AND  
NEWGATE DEVELOPMENT OF BECKLEY  
LLC

Defendants.

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Civil Action No. 7:16-cv-00462-GEC

NOTICE OF LODGING OF  
CONSENT DECREE

The United States hereby gives notice of lodging of a proposed Consent Decree in the above-captioned action. The attached proposed Consent Decree will resolve all claims alleged by the United States against the Defendants in the Complaint in this action, filed simultaneously with this Notice of Lodging.

The United States respectfully requests that the Court not sign the proposed Consent Decree at this time. Instead, consistent with Department of Justice policy, 28 C.F.R. § 50.7, the United States will publish in the Federal Register a notice that the proposed Consent Decree has been lodged with the Court. The Notice will solicit public comment for a period of 30 days. During the comment period, no action is required by the Court. If, after review and evaluation of any comments received, the United States continues to believe that the Consent Decree is fair, reasonable, and in the public interest, it will move the Court to enter the Consent Decree.

Respectfully submitted,

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United States Department of Justice

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 29, 2016, I served a true and correct copy of the foregoing Notice of Lodging of Consent Decree and a copy of the Consent Decree by e-mail and U.S. mail to:

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/s/ Lori Jonas

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